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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,271	02/27/2002	Immanuel Buschatz	18138.026	7106

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[REDACTED] EXAMINER

RODRIGUEZ, RUTH C

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

3677

DATE MAILED: 07/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Offic Action Summary**

Application No.

10/084,271

Applicant(s)

BUSCHATZ ET AL.

Examiner

Ruth C. Rodriguez

Art Unit

3677

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 09 June 2002.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1 .

- 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_ .

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 27 February 2002 has been considered for this Office Action.

### ***Election/Restrictions***

3. Applicant's election with traverse of Species I in Paper No. 5 is acknowledged. The traversal is on the ground(s) that both a threaded connection and a snap connection can be used at the same time between the ring and the valve. This is not found persuasive because the drawings provided by the applicant only illustrate an embodiment having a threaded connection and the specification describe two separate embodiments, one for the threaded connection (paragraphs 13 and 17) and another for a snap connection (paragraphs 18 and 19). The drawings and the specifications fail to include a combination of the threaded connection with the snap connection as recited by the arguments. Therefore, the disclosure only support the use of one type of connection at a time since the embodiments are always used in an alternate manner in the specifications.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1 and 3-10 rejected under 35 U.S.C. 102(b) as being anticipated by Shin (US 5,120,085).

A ring (2) comprises an inward directed collar and a plurality of resilient radially displaceable locking elements (6) extending into the ring (Figs. 1-18). The collar and the locking elements form a receptacle for a shoulder (6a) for engaging with at least one projection (4b).

Shin also discloses that:

- The collar further comprises a plurality of radially directing slots (2a) and the locking elements comprise segments (6) of an annulus placed in the slots (Figs. 1-18).
- Each of the segments comprises at least one nose for restricting inward movement of the segment (Figs. 2, 6, 13 and 18).
- Each of the locking elements further comprises a flange as a tool gripping position (Figs. 1, 4 and 5).
- Each of the annular segments is chamfered on an inner edge (Figs. 12, 13 and 15).
- The ring further comprises a spring element (5,5a and 9) for inwardly radially biasing each of the locking elements.
- The ring further comprises a groove (2b) disposed circumferentially on the outside of the ring (Fig. 16).
- The ring further comprises a circumferential spring element (5,5a and 9) located on the groove (Figs. 1-6 and 12-18).
- The ring further comprises a gripping surface (outside of the ring).

6. Claims 1-4, 6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito (US 5,343,892).

A ring (1) comprises an inward directed collar and a plurality of resilient radially displaceable locking elements (4) extending into the ring (Figs. 1-6). The collar and the locking elements form a receptacle for a shoulder (6) for engaging with at least one projection (next to 12) (Figs. 1-6).

Saito also discloses that:

- The ring further comprises an inner screw threading complementary and engageable with an outer screw threading of the pipe.
- The collar further comprises a plurality of radially directing slots (2) and the locking elements comprise segments (4) of an annulus placed in the slots (Figs. 1-6).
- Each of the segments comprises at least one nose (9) for restricting inward movement of the segment (Figs. 1-6).
- Each of the annular segments is chamfered on an inner edge (Fig. 3).
- The ring further comprises a gripping surface (outside of the ring).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suzuki and Dennany, Jr. are cited to show state of the art with respect to rings having some of the features of the current invention.

Saur et al. (US 5,897,055), Buschitz (US 6,404,321 B1 and US 6,460,335 B1), German Patent Document DE 299 05 274 U1 and European Patent Document EP 0875 703 A2 are cited to show state of the art with respect to a valve using a device to connect to a drive element.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C. Rodriguez whose telephone number is (703) 308-1881. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115.

Submissions of your responses by facsimile transmission are encouraged. Technology center 3600's facsimile number for before final communications is (703) 872-9326. Technology center 3600's facsimile number for after final communications is (703) 872-9327. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase the patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as PTO's mailroom processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP § 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee that the applicant is paying by check **should not be** submitted by facsimile transmission separately from the check.

Art Unit: 3677

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP § 512). The following is an example of the format the certification might take:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9326) on (Date).  
(Typed or printed name of person signing this certificate)  
(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP § 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response has been transmitted by facsimile will cause further unnecessary delays in the processing of your application, duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

*RCR*  
rcr  
July 10, 2003

*J. J. Swann*  
J. J. SWANN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600